

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested. Currently, claims 2-10 and 17-21 are pending in this application.

Claim Objections:

Claims 3-18 were objected to because of various informalities. Claims 3-7 and 11-12 no longer recite the limitation “A method.” Claim 9 properly recites the limitation “A communication network (emphasis added),” since there is no previous recitation of this limitation in claim 8 from which claim 9 depends. Claim 6 has been revised to require “the call control protocols” which has a proper antecedent basis. Applicant therefore respectfully requests that the objections to the claims be withdrawn.

Rejections Under 35 U.S.C. § 103:

Claims 2-3, 8-12 and 17-21 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Mikelaitis in view of Christensen et al (U.S. ‘666, hereinafter “Christensen”) and further in view of Mori (EP 0606079).

In order to establish a prima facie case of obviousness, all of the claimed limitations must be taught or suggested by the prior art. Applicant submits that the combination of Mikelaitis, Christensen and Mori fails to teach or suggest all of the claimed limitations. For example, the combination fails to teach or suggest “setting up a call between the communications terminals using a call control protocol and network address selected from the plurality of different call control

protocols and network addresses identified in the call control capability data,” as required by independent claim 2 and its dependents. Independent claims 8, 10 and 17-21 require similar features.

None of Mikelaitis, Christensen and Mori describes exchanging or receiving different call control protocols and network addresses and then setting up the ultimate call by selecting one of the different call control protocols and one of the different network addresses. For example, Mikelaitis discloses a remote terminal that is always contacted using its telephone number. In Christensen, messages exchanged between a terminal and a concentrator include one network address for each respective “terminal” (considering, for argument’s sake, that the concentrator forms a “terminal”), namely a DA (destination address) and a SA (source address) which are single network addresses of the terminal and concentrator depending on whether the terminal or the concentrator is sending the message. In Mori (see col. 3, lines 20-27), a single user address and a single associated protocol are sent to the remote device in order to set up a connection. Although it specifies that a user terminal communicates with other user terminals using one or more protocols, whenever a connection is set up, it is done so using one pre-selected network address of the destination user terminal. There is no teaching or suggestion of sending a message containing multiple different network addresses and call control protocols.

Through the above claimed feature, the present invention enables a single device to efficiently operate to take advantage of multiple different networks and network technologies requiring different addresses (e.g., ATM and IP, or PSTN telephone and VOIP internet call connections). This feature is supported by, for example, page 4, lines 24-33, page 7, lines 16-25 and page 8, lines 11-24 of the specification.

Accordingly, Applicant submits that claims 2-3, 8-12 and 17-21 are not “obvious” over Mikelaitis in view of Christensen and further in view of Mori, and respectfully requests that the rejection of these claims under 35 U.S.C. §103 be withdrawn.

Claims 4 and 5 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over “Mikelaitis and Christensen, as applied to claim 3 above, and further in view of Katsube.” Claims 6 and 7 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over “Mikelaitis and Christensen, as applied to claim 3 above, and further in view of Markgraf et al.” These rejections are not completely understood by Applicant since the rejection applied to claim 3 is over Mikelaitis, Christensen and Mori, not just Mikelaitis and Christensen. Nevertheless, since claims 4-5 and 6-7 depend at least indirectly from independent claim 2, Applicant submits that the comments made above with respect to claim 2 apply equally to these claims. Neither Katsube nor Markgraf remedies the above deficiencies of the combination of Mikelaitis and Christensen and Mori.

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Applicant therefore respectfully requests that the rejection of claims 4-5 and 6-7 under 35 U.S.C. § 103 be withdrawn.

Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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